

MOTION NO. M2018-105
Contract for the Completion of a Disparity Study

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Operations and Administration Committee	09/06/2018	Final Action	Leslie Jones, Director of Small Business Development and Labor Compliance Beverly Cobb Zahir, Small Business Program Manager

PROPOSED ACTION

Authorizes the chief executive officer to execute a one-year contract with Griffin & Strong, P.C. to conduct a disparity study for a total authorized contract amount not to exceed \$288,350.

KEY FEATURES SUMMARY

- Sound Transit is required to establish and administer a Disadvantaged Business Enterprise (DBE) Program as a Federal Transit Administration (FTA) funding recipient that awards prime contracts in \$250,000.
- A disparity study is necessary to provide Sound Transit with the analysis needed to determine the nature of and the extent to which remedial actions are necessary to achieve the purposes of the DBE Program in accordance with FTA regulations.
- The study scope of work includes:
 - Reviewing Sound Transit’s current DBE goals and methodology
 - Developing a legal framework and producing an analysis of federal requirements and state laws related to a Federal DBE Program
 - Analyzing the use of minority and women-owned firms and the contract amounts those firms would be expected to receive based on their type and size
 - Summarizing disparities between minority/ women-owned firms and firms that are neither minority nor women-owned
 - Producing a final report that includes recommendations for the Agency’s DBE Program

BACKGROUND

A new disparity study is necessary to support the Sound Transit DBE Program. The disparity study from which Sound Transit disaggregated data to support its current DBE program was conducted five years ago and the “shelf life” for disparity studies are generally considered to be five to six years.

The statistical document upon which Sound Transit determined its 2017-2019 utilization goals for the DBE program was derived from a 2016 availability and disparity study conducted by Brown, Bortz & Coddington, Inc. Sound Transit subsequently engaged Brown, Bortz & Coddington, Inc., to disaggregate that data to establish the statistical basis for Sound Transit’s DBE utilization goals. FTA as well as federal case law strongly indicate that both statistical and anecdotal data must be documented to measure the existence and extent of discrimination in the specific marketplace; that

DBE utilization must be narrowly tailored to the evidence of discrimination in the specific marketplace; and that data must be timely and current.

Consistent with the United States Department of Transportation regulations and guidelines, Sound Transit will submit to the FTA its goals for DBE utilization based upon the analysis, documentation and recommendations that will be provided by Griffin and Strong, Inc. The anticipated completion date is June 2018.

PROCUREMENT INFORMATION

Prior to issuing the solicitation for these services, Sound Transit considered the project scope, the determining factors for contract award, and the need for proposal discussions and revisions, and determined that a Request for Proposals procurement method was the most advantageous.

Sound Transit advertised Request for Proposals No. RTA/RP 0030-18 on April 4, 2018. Five firms submitted a proposal, and the proposals were evaluated based on the advertised evaluation criteria including firm experience and history; knowledge and experience of key individuals; project approach, organization, and capacity; price; and commitment to and compliance with equal opportunity employment law. Griffin & Strong, P.C. was identified as the top ranked firm.

As it was determined that Griffin & Strong's proposal offers the best value, contract award to this firm is in the best interests of Sound Transit.

Griffin & Strong's rates are fair and reasonable based on comparison of the competitive market rates submitted by the other proposers for these services and comparison to the independent cost estimate (ICE). Sound Transit's ICE was determined to be \$400,000. The agreed price for the contract is \$288,350 which is \$111,650 less than the ICE and Requisition amount. This is a savings of 39 percent from the ICE.

FISCAL INFORMATION

The proposed action will be funded from the services category within the Executive department's annual operating budget. The services category budget is \$6.7 million, of which a total of \$120 thousand is estimated to be spent in the first year of the contract and is within the agency's budget authority. After approval of this action, the remaining annual budget amount will be used to fund other department expenditures anticipated in the 2018 annual budget.

Disparity Study Budget Table

Executive
(in thousands)

Cost Category	2018 Annual Operating Budget ¹	YTD Actuals ²	This Action (Current Year Impact Only)	YTD Actuals Plus Action (Current Year Only)	Remaining Annual Operating Budget
Salaries and Benefits	\$24,004	\$11,816	\$	\$11,816	\$12,188
Services	6,744	1,879	120	1,999	4,746
Materials and Supplies	213	73		\$73	140
Utilities	1			\$	
Miscellaneous	3,476	1,065		\$1,065	2,411
Leases and Rentals	102	35		\$35	67
Total Annual Operating Budget	\$34,542	\$14,868	\$120	\$14,988	\$19,553

Contract Spending Plan	Forecasted Spend for Remainder of			Total
	Spending to Date ³	2018	Future Spending	
Griffin & Strong P.C.	\$	\$120	\$168	\$288

Contract Detail	Board Approved Contract Value	Proposed Action	Proposed Revised Board Approved Contract Value
Griffin & Strong P.C.	\$	\$288	\$288
Contingency			
Estimated Taxes			
Contract Amount - Total	\$	\$288	\$288
Percent Contingency	0%	0%	0%

Notes:

¹ 2018 Annual Operating Budget is located on page 23 of the Adopted Budget book.

² YTD Actuals as of July 31, 2018.

³ Spending to Date as of July 31, 2018.

SMALL BUSINESS/DBE PARTICIPATION

Sound Transit promotes and encourages small business participation, which also includes Disadvantaged Business Enterprises (DBEs). Small Business and DBE goals are based upon an examination of subcontracting opportunities contained in the work of this contract and the number of Small Businesses/DBEs available to perform such subcontracting work.

For this contract, the following Small Business/DBE Participation commitments were made:

Small Business: 100%

DBE: 3%

Subconsultant	Business Type	% of Work	Amount
Griffin & Strong, P.C.	Small Business	100%	\$100,000.00
The Planning Studio	Small Business	7%	\$ 20,000.00
Henry Yates Consulting	DBE	3%	\$ 8,750.00
Total		100%	\$288,750.00

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL REVIEW

KH 8/23/18

LEGAL REVIEW

AJP 8/31/18

MOTION NO. M2018-105

A motion of the Operations and Administration Committee of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a one-year contract with Griffin & Strong, P.C. to conduct a disparity study for a total authorized contract amount not to exceed \$288,350.

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MOTION:

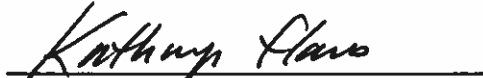
It is hereby moved by the Operations and Administration Committee of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a one-year contract with Griffin & Strong, P.C. to conduct a disparity study for a total authorized contract amount not to exceed \$288,350.

APPROVED by the Operations and Administration Committee of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on September 6, 2018.



Joe McDermott
Operations and Administration Committee Vice Chair

ATTEST:



Kathryn Flores
Board Administrator